

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

FILED SEP 24 2004 CIVIL ACTION No. 04-10956-REK

ERNEST OGLETREE,  
Plaintiff

v.

CITY OF ATTLEBORO,  
STURDY MEMORIAL HOSPITAL,  
INC., JAMES G. MACDONALD,  
DOUGLAS JOHNSON, MICHAEL  
BARTUCCA, ROBERT ASTIN,  
and LEWIS RHEAUME,  
Defendants

**PLAINTIFF'S MANDATORY  
DISCLOSURES**

The plaintiff tenders the following Mandatory Disclosure materials to the defendant, pursuant to Fed. R. Civ. P. 26(a)(1):

**Witnesses - Fed. R. Civ. P. 26 (a) (1) (A)**

1. Ernest Ogletree, 20 Prairie Avenue, Attleboro, MA
2. James G. MacDonald, c/o Attleboro Police Department, Attleboro, MA
3. Douglas Johnson, c/o Sturdy Memorial Hospital, Inc., Attleboro, MA
4. Michael Bartucca, 57 Jacap Drive, Attleboro, MA
5. Robert Astin, 49 Augsburg Drive, Attleboro, MA
6. Lewis Rheaume, 99 Metropolitan Park, Seekonk, MA
7. Rita Ogletree-McLean, 20 Prairie Avenue, Attleboro, MA
8. Kenneth McLean, Jr., 20 Prairie Avenue, Attleboro, MA
9. Michael Fabrizio, DO, c/o Sturdy Memorial Hospital, Inc., Attleboro, MA

Witness Nos. 1-9 are expected to have information relevant

to the incident which gives rise to this action. Witness Nos. 1 and 7-9 also are expected to have information relevant to the plaintiff's damages.

The plaintiff anticipates calling additional percipient and expert witnesses, including those named in the defendant's disclosure and discovery documents, regarding the defendant's liability and the plaintiff's damages.

**Relevant Documents - Fed. R. Civ. P. 26 (a) (1) (B)**

1. Plaintiff's telephone bill
2. Photographs of plaintiff's damages
3. Plaintiff's medical records
4. Plaintiff's medical bills

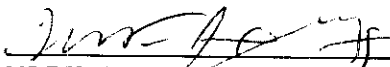
**Damages Computation - Fed. R. Civ. P. 26 (a) (1) (C)**

The plaintiffs' damages for pain and suffering are incapable of exact computation. The documents referenced above include information relevant to the determination of the plaintiff's special damages.

**Insurance Agreement - Fed. R. Civ. P. 26 (a) (1) (D)**

None.

The Plaintiff,  
By his Attorney,

  
MARK F. LIPZKOWITZ (BBO #248130)  
85 Devonshire Street  
Suite 1000  
Boston, MA 02109-3504  
(617) 227-1848  
September 23, 2004

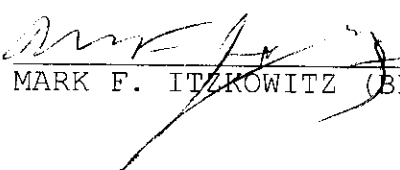
**CERTIFICATE OF SERVICE**

I, Mark F. Itzkowitz, counsel for the plaintiff, hereby certify that on September 23, 2004, I made service of the within document by mailing/faxing/hand-delivering a copy of same to counsel of record:

Joseph L. Tehan, Jr., Esquire  
Sarah N. Turner, Esquire  
Kopelman and Paige, P.C.  
31 St. James Avenue  
Boston, MA 02216;

Charles D. Mulcahy, Esquire  
Wynn & Wynn, P.C.  
90 New State Highway  
Raynham, MA 02767; and

Daniel J. Buoniconti, Esquire  
Foster & Eldridge  
955 Massachusetts Avenue  
Cambridge, MA 02139.

  
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MARK F. ITZKOWITZ (BBO #248130)